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OBSERVATIONS

1606/760.
UPON THE

TREATY

Between the C R O W N S of

Great-Britain, France, and Spain,

Concluded at SEVILLE on the Ninth
of November, 1729, N. S.

*Afflatuque suo Populos, Urbesque, Domoſque
Polluit: et tandem Tritonida conſpicit Arcem,
Ingeniis, Opibuſque, et feſtâ pace virentem:
Vixque tenet lacrymas, quia nil lacrymabile cernit.*

D U B L I N :

Printed by S. POWELL,

For GEORGE RISK, at the *Shakeſpear's* Head,
GEORGE EWING, at the *Angel* and *Bible*, And,
WILLIAM SMITH, at the *Hercules*, Bookſellers
in *Dame's-ſtreet*, M D C C X X X.

1730





OBSERVATIONS

UPON THE

Treaty of Peace, Union, Friendship, and Mutual Defence, between the Crowns of GREAT-BRITAIN, FRANCE, and SPAIN, concluded at SEVILLE, Nov. 9, 1729, N. S.

I Am not in the least surpriz'd at the Pains some People have taken to discredit the Treaty with *Spain*, even before they had seen it. It was a natural Consequence of the Efforts they had made to prevent it, before it was concluded. They flatter'd themselves with the Hopes of a burthensome War, and they are disappointed by the Conclusion of an advantageous Peace. But their Consternation, great as it is, is not to be pitied, since it is a sure Mark

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of

of our Happiness. They are like those Wretches that live upon dangerous Coasts, whose Profit arises from Wrecks, who subsist by the Calamities and Misfortunes of their fellow Creatures; and whose Affliction is consequently a happy Preface of Calm and Serenity.

I must own I am so thoroughly convinc'd of the ill Intentions of these Men, and of the unworthy *Motives* on which they act, that I cannot help rejoicing at this Disappointment, which has at once destroy'd all the pleasing Prospects of Power and Revenge with which they had for some time flatter'd themselves. And surely if any thing could add to the Pleasure which every honest *Englishman* must feel upon so joyful an Occasion, it must be the Damp it has struck upon the Spirits and Counsels of those who have so long labour'd to retard and obstruct the Scene of publick Felicity, which now shews itself to the utter Confutation of all the Objections rais'd against the Measures that have brought about this happy Event.

The Disputes which were last Winter carried on with respect to the publick Negotiations, are still fresh in every body's Memory; and it is not at all necessary to repeat the particular Arguments which were then us'd; yet this is certainly worth recollecting, as what was then objected with so much Truth to the Writers against the King's Measures, that they not only endeavour'd by the most groundless Insinuations and Assertions to raise Prejudices in the Minds of his Majesty's Subjects, but even went so far as to suggest such Arguments to our Enemies, as were most likely to prevent their Acceptation of those Terms which alone could at that Time have secur'd our National Interests. And indeed it was not at all wonderful, that those who, in order to promote the Success of their pernicious Schemes, had leagu'd themselves with *One* so infamous for betraying his Country, and for the ungrateful Returns he has constantly made to all who have either employ'd or protected him, should, for the same Ends, make no Scruple of adopting his Morals and Maxims, and so openly declare in Favour of any Power which ~~they~~ ^{they} flatter'd themselves, would



would be most willing, as well as best able, to second their ill Designs upon this Nation.

The Point then labour'd was, as I before hinted, to prevent the Conclusion of the Provisional Treaty; and this was to be done by furnishing *Spain* with Arguments to justify their seizing and detaining the South Sea Company's Effects, and their Depredations upon our Merchants in the *West Indies*. What Impression was really made at the Court of *Madrid* by these treacherous and ill-grounded Suggestions, is now needless to enquire; since by the late happy Change of Affairs, all such malicious Insinuations are become insignificant, his Majesty having sooner found a Disposition to Peace and Reconciliation in a Foreign Power, than in these Domestick Enemies to his Person and Government.

It cannot certainly be expected that the same Persons, who were so much alarm'd at the Negotiations, and apprehended so many ill Consequences to themselves from the Conclusion of a *Provisional Treaty*, should shew less Concern and Disappointment upon the News of a *solid and lasting Peace*, or should be less alert and active in their Endeavours to prevent its becoming General. And indeed, since the Treaty of *Seville* is beyond the Reach of their most artful Malice, since the States General have acceded to it, and *one more Accession* might compleat the *Disgrace* of these Patriots, and the *Happiness* of their Country; it will be but consistent with their Character, and we may most certainly expect, that they will now apply their whole Skill and Invention to find out such Reasons as may best serve to divert his Imperial Majesty from becoming a Party to these Engagements.

In order therefore to shew what kind of Behaviour we are to expect from them, I shall just take Notice of some false Insinuations they have already let fall with regard to this Treaty, which they could not at that Time have possibly seen, and of the Contents of which they would
per-

' persuade us, that the Directors of a Company extremely interested in the Consequences of this Treaty were ' equally ignorant, ' tho' those Directors had seen and approved them. It is evident that these Insinuations proceeded rather from their Wishes, than from their *Belief* that they *were true*; and that the Concern they affected upon this Occasion, for the *Security* of our National Interests, was to be attributed to nothing but their Apprehensions that those Interests were but too well settled and *secured*.

It has likewise been hinted, that the securing of the Succession of *Don Carlos* in *Italy* by *Spanish* Garrisons, (which makes one of the principal Stipulations of the new Treaty) is a Step that may prove dangerous to the Peace of *Europe*, and that the Emperor in particular is obliged in Interest to prevent its taking Effect. But these Gentlemen ought to remember, that this Point of the Succession of *Don Carlos* to the Dutchies of *Tuscany* and *Parma*, had already been consented to and established by the Quadruple Alliance: And I will venture to say, that whatever Fault may justly be found with that Treaty, there can be no solid Objection made to that Part of it which allots those Dutchies to *Don Carlos*. The present Possessors of those Countries having no Heirs Male, and there being little or no Hopes of their ever having any; had that Succession been left open, all *Italy*, considering the Strength and Influence of those Dominions which the Emperor has already got Possession of in that Country, must in all Probability have fallen into his Hands, or at least into such Hands as must have had an entire Dependence on him. And this seems to be the Opinion of the Body of the Inhabitants in those Countries: For by all the Advices from thence, there never did appear greater Joy and Satisfaction in People of almost all Orders and Ranks upon any Occasion, than was observed there upon the News of the Treaty of *Seville's* being signed.

As to this Nation, it has already sufficiently contributed to the aggrandizing of his Imperial Majesty in that Part of
the

the World, and has for some Years past felt, and may still feel in a yet more sensible Manner, the Returns of his Gratitude. But whether the Gentlemen approve or disapprove of this Succession, they cannot charge it as a Fault of this Treaty. I do not pretend to be able to form any Judgment how far the Counsels at *Vienna* may be influenced by their *Suggestions*, I am not at all acquainted with the Intentions of that Court as to this Particular, and I have very little Reason to expect any Information from *thence*, having never dealt in the *Honourable Traffick* of transmitting Intelligence from *hence thither*. Only thus much I will affirm, that the Emperor cannot reasonably take Offence at this Stipulation, being himself under previous Engagements by the Quadruple Alliance to make it effectual: And has in Consequence of that Treaty already given Don Carlos the Eventual Investitures of *Tuscany* and *Parma*, for which his Imperial Majesty had, and still possesses, the Kingdom of *Sicily*, as an Equivalent: Neither can the Variation made by the present Treaty of *Spanish* instead of *Swiss* Garrisons, justify, in Reason and good Sense, his Imperial Majesty's not consenting to it, unless he can shew that he may be prejudiced by that Alteration; for it is to be supposed that it has always been his Intention to make good the Engagement which he laid himself under by the Quadruple Alliance, in favour of Don Carlos's Succession; and the only Question now is, whether this Variation will make that Engagement more effectual or not? If it makes it more effectual, it would be inconsistent with his Imperial Majesty's good Faith to oppose it; if otherwise, he ought not to complain of it, should his Imperial Majesty, as these Gentlemen seem to think, have an Inclination to defeat that Succession.

As to the *Spanish* Garrisons, they are as strictly obliged by this Treaty, as the neutral ones were to have been, not to interfere in any manner with the Government of those Countries, but to confine themselves barely to keeping Possession of the Places committed to their Care; and the Emperor can be under no Apprehensions of Danger on this

this Head, having constantly, in the Neighbourhood of those Garrisons, a Number of Troops more than sufficient to awe and check them, should they offer to exceed the Bounds prescribed them; and he can, without doubt, as easily keep them in order as he could the *Swiss*. It is therefore, in my Opinion, undeniable, that the Emperor cannot, in Justice, refuse to join in this Treaty on account of this Variation: And it is equally manifest, that any Minister would have deserved the severest Punishment, who should have advised the King to have deferred, for one Month only, the Accommodation of our Differences with the Court of *Spain*, for the Sake of this Alteration; especially since, by the Manner in which this Affair is now settled, we are freed from the Engagement we were before under, of paying one third Part of the Expence which would have been requisite for maintaining neutral Garrisons in the Duchies of *Tuscany* and *Parma*. I am persuaded the World will, upon the whole, own that His Majesty and his Allies have acted very generously with Regard to the Emperor, since, instead of resenting the Part the Court of *Vienna* has acted towards his Majesty and this Nation, they have once more put it in his Imperial Majesty's Power to make his Peace upon safe and honourable Terms, without any Diminution of his Dignity, Rights or Possessions. But if the Court of *Vienna* shall be so ill advised as to refuse these Offers, they alone ought to be answerable for the Mischiefs they may in all probability bring upon themselves; and it is hardly to be imagined that they will find any Allies to support them in so wild and unjustifiable an Opposition to Measures that are in themselves just and reasonable, and have been concerted by Powers of such Weight and Consideration, as those who have joined in this Treaty in order to establish the publick Tranquillity.

To quiet the Uneasinesses of these Gentlemen, and to rid them of those terrible Apprehensions they affect to be under, least *this so long look'd for Peace should have left our foreign Acquisitions in an uncertain and precarious Condition*, I shall beg leave to observe to them, that as by the first Article of this Treaty all former Treaties and Conventions
between

Between the contracting Parties are renew'd and confirm'd in the same Manner as if they were actually inserted Word for Word in this; it is evident that we have here a very full Acknowledgment on the Part of *Spain*, of our Right to *Gibraltar*, and the Island of *Minorca*, which was acquired by the Treaty of *Utrecht*, and has been confirmed to us by subsequent Treaties. But the second Article still goes farther, and by it the King of *Spain* himself gives his Majesty his Guaranty, for all his Kingdoms, States and Dominions, in whatsoever Part of the World they are situated, and consequently for the Possession of these very Places: This Guaranty is given absolutely, upon the Foot of former Treaties, without any Reservation for a future Discussion of any Pretensions whatsoever, either at a Congress, or before Commissioners. So that I may defy these Gentlemen, or any body else, to shew in what Manner those *Foreign Acquisitions* can be more effectually secured.

As our Possessions are thus secured to us beyond all possibility of Doubt or Cavil, so all our Privileges and Advantages in Commerce are re-established upon the Foot of former Treaties; and it is likewise with great Satisfaction that I observe, that the utmost Regard has been shewn towards the Losses which our Merchants may (not only for these few Years last past, but at any Time) have unjustly sustained. His Majesty's tender Concern for his Trading Subjects, who have certainly a Right to his peculiar Care and Protection, is the more to be applauded, because it has frequently been their hard Fate to be the Victims of National Quarrels, and to be left, at the Conclusion of a Peace, without any Compensation for the Calamities which the preceding Disturbances had brought upon them. It is therefore the most sensible Pleasure to me, to reflect, that by the Articles of this Treaty our Merchants are entitled to Restitution of all Ships and Effects that have at any time been taken from them contrary to the Treaties of *Utrecht*, or any other Treaties which subsisted between *England* and *Spain* to this very Day; which is the Point I shall now proceed to prove.

By the first Article (as I before observed) all former Treaties and Conventions of Peace, Friendship, and Commerce, are, without any Exception, renewed and confirm'd, inas ample Manner, as if they had been inserted Word for Word, His Catholick Majesty promising *not to do any thing himself, or even suffer any thing to be done, that may be contrary thereto directly or indirectly.*

By the second our Possessions, and all our Privileges and Rights of Commerce, are guaranted to us.

By the fifth *immediate Réparation* is promis'd for the Damages suffered by the Subjects of *Great Britain* in *Europe* since the Time prescrib'd by the Preliminaries for the Cessation of Hostilities there, and in the *West-Indies* since the Arrival of the King of *Spain's* Orders at *Carragena*.

The sixth Article declares, and that without Limitation as to any Retrospect, that all Ships and Effects taken at Sea in *Europe*, to the Time prescrib'd by the Preliminaries for the Cessation of Hostilities; and in the *West-Indies*, till the Arrival of his Catholick Majesty's Orders at *Carragena*, shall be referred to Commissaries, who shall be appointed for that purpose within four Months after the Exchange of the Ratifications, and whose Decisions shall be punctually executed.

And indeed for my own Part I must confess my self ignorant, and I believe might challenge the most clear-sighted of these Gentlemen to shew, what other Method could possibly have been used, in a Case where there must of Necessity be so great a Variety of Pretensions, some of them of so long standing, and where the Distance of Place and Time alone must create some Difficulties, with regard to the Captures and Seizures, as well as to the several Proofs.

The first separate Article does most fully shew that the Terms of our former Treaties with *Spain* are to be the Rule and Measure of the Restitution of all Seizures made upon the breaking out of Hostilities, and of the Reparation

tion to be given for the Losses sustained at that Time by our Merchants. And in the second separate Article it is declared that, in Consequence of the foregoing one, *all Ships, Merchandize, and Effects, taken or seized, (provided it were not upon account of unlawful Commerce) and which shall be proved by authentick Proofs and Documents to have been detained, seized, or confiscated in the Ports of Spain, either in Europe, or in the Indies, and namely the Ship Prince Frederick and her Cargo, if they have not been restored already, shall be immediately restored in the same kind, as to those things which shall be found still remaining in that Condition; or in default thereof, the just and true Value of them according to their Valuation; which, if it was not made at the Time, shall be regulated by the authentick Informations which the Proprietors shall exhibit to the Magistrates of the Places and Towns where the Seizures were made.*

And it appears manifestly by the latter Part of this Article, that those only the Validity of which may not yet have been sufficiently made out, are to be referred to the Examination of the Commissaries, *to do therein according to Right upon the Foot of the Treaties.*

And indeed it was but just, that these Seizures should be distinguish'd by an immediate Restitution, since the claim of our Merchants is, in this Case more clear, and less liable to dispute, than it can be in the Case of Depredations committed upon them by private Captors; these Ships and Effects having not only been seized within the Time allowed by the Treaties confirmed in the foregoing Article for withdrawing them from the several Ports of *Spain*, but being detain'd for his Catholick Majesty's own Use, by his own Officers, and in Obedience to particular Orders from the Court of *Spain*. So that the said Ships and Effects, or the Value of them must be either in his Majesty's own Possession, or in the Hands of his Officers.

Upon the whole it is evident, that our Right to reparation is not confined, as has been falsely insinuated, to such Losses only, as have been suffered since the Year 1727; but

will extend itself to any Depredations and Violences that we may have suffer'd, in Breach of former Treaties, either in *Europe* or the *West-Indies*.

And it is with the utmost Satisfaction that I observe, that the Readiness and Cordiality with which his Catholick Majesty enter'd into this Treaty, gives us great Reason to think him sincerely dispos'd to fulfil punctually the several Engagements of it; and that, as a farther Proof of these good Dispositions on the Part of *Spain*, several Cedula's in favour of the South-Sea Company, as also that for the Restitution of all Prizes taken from our Merchant since the Arrival of the King of *Spain's* Orders at *Cartagena* the 22^d. of *June* 1728, have been already actually transmitted hither from *Seville*.

It has been suggested that *these Demands may be frustrated by a pretence of illicit Trade, such as having one single Piece of Eight on Board, when taken, which it is said can scarce fail to happen*; In answer to this Objection, I shall only observe, that this can never be the Case of any Ships that traded fairly to our own Ports, and had not carry'd on an unlawful Commerce to the Ports of the *Spanish West-Indies*; for no Ship that has not been so trading, can be seized or confiscated for having *Spanish Money* on Board. If therefore any Subject of *England* shall suffer upon this Article, he will suffer not for want of the King's Care in establishing former Treaties, and securing to his Subjects the Benefit of them, but for wilfully transgressing himself the Articles of Commerce long since establish'd between the two Nations, and indeed between *Spain* and all other Nations who trade with that Kingdom.

But before I leave this Article, I must take Notice of that Part of it, which relates to the Claim his Catholick Majesty may have to recompence for the *Spanish Ships* of War which were taken in the Mediterranean in the Year 1718. By the Treaty of 1721 it was agreed that those Ships should be restored; or in case of their being sold, the Value of them paid in Money to the King of *Spain*. As therefore the

the King of *Spain* had agreed, by the first Article of this Treaty to a Confirmation of the Treaty of 1721, and had consequently acknowledged our Right to demand Restitution of all that we could ever claim in pursuance of that Treaty, he, in his Turn, pretended to the Restitution of the Men of War above mentioned, or their Value, by virtue of the same Treaty. And this certainly was a Claim, which, considered abstractedly from some Circumstances attending that particular Case, could not have been disputed. Those Circumstances were, That his Catholick Majesty did actually send Commissaries in pursuance of the Treaty of 1721, to *Port-Mahon*, where the said Men of War then lay, to demand the Restitution of them, and that they were really at that Time offer'd to those Commissaries, but refused by them, on Account of their being in a decay'd Condition, and unfit for Service, and were upon that Refusal, drawn out of the Harbour by Order of the Governour, and sunk in the main Sea. This was what was alledged on our Part when the present Treaty was negotiating, but as the King of *Spain* still insisted upon his Right to the Restitution of the said Ships, tho' he was contented to refer that Pretension to the Discussion of Commissaries, I would fain know upon what Grounds, and by what Rule of Justice, his Majesty could have refused to comply with this Request; since it is notorious that the Ships to which *Spain* was intitled by the fifth Article of the Treaty of 1721 were never actually restored, and his Catholick Majesty has at least a Right to have the Reasons, why they were not restored, examin'd into. And there was the less Pretence for declining this Discussion, because we were sure it would upon Examination appear that it was the Fault of the *Spaniards* only that those Ships were not put into their Possession.

Having thus given my Sentiments upon the Treaty lately concluded at *Seville*, and proved it to be just, honourable and advantageous, I cannot omit making one Observation in order to shew his Majesty's Goodness to his *British* Subjects upon this Occasion. His Majesty by his wise and steady Conduct had given so happy a Turn to the Affairs

airs of Europe, that the Courts of *Vienna* and *Madrid* seem'd equally desirous of being reconcil'd to him; and his Majesty's preferring an Alliance with *Spain*, is a strong Proof that the Interests of *Great Britain* have the chief Place in his Thoughts. His Majesty might certainly have promised himself not only Security, but even great Advantages to his *German* Territories, from a Reconciliation with the Emperor; and on the contrary, he may now perhaps meet with Marks of Resentment in those Quarters. *Seckendorff*, the Imperial Minister at *Berlin*, will without doubt be again called upon to exert the Credit which he pretends to have gain'd with his *Prussian* Majesty, to induce him to quarrel once more with those to whom he ought by all the Ties of Blood, Interest, and Religion, to be most closely united. But the Consideration of these Dangers made no Impression upon his Majesty, nor did in the least influence his Determination as to the Part he was to take; He saw that *Great Britain* as to herself, would have nothing to apprehend from the Emperor after his Separation from his Catholic Majesty; and the Advantages accruing to this Nation in Point of Trade and Commerce, were too obvious for him to hesitate a Moment in closing with *Spain*.

What I have just mentioned concerning *Prussia*, leads me to reflect a little upon what has pass'd so lately with Relation to that Court, which furnishes us with such a remarkable Instance of the ill Dispositions and Designs of these Gentlemen, that if it were not already too publick and notorious, I should be glad, for the Honour of my Country, to pass it over in Silence. Upon the first Prospect of an Accommodation with *Spain*, their Attention and Hopes were immediately fixed upon the King of *Prussia*, and being apprehensive that they should soon be driven from the Congress at *Soissons*, they resolv'd to take Refuge in that at *Brunswick*. And tho', at the time when the King of *Prussia* espous'd the Interests of *England*, by entering into the *Hanover* Alliance, they could not prevail upon themselves to treat him with common Decency, but represented him as an unprofitable Ally, one that would rather be an Expence, than of real Service to any Cause

Cause that he engaged in, yet, those very Persons, upon the first News of the late Differences between his Majesty and the Court of *Berlin*, immediately began to alter their Language; and the King of *Prussia* was now become their Hero. At the same time the just Measures his Majesty was taking for procuring the Restitution of some of his Subjects, who had been forcibly carried out of his *German* Dominions, were represented as Acts of Hostility; and by a new Method of Reasoning, his Majesty was declared the Aggressor for having only us'd Reprizals.

In the mean while his Majesty's Allies were told that they were not oblig'd to take Part in this Quarrel, nor were at all concern'd in the Consequences of it. In short no Arguments were omitted that might *provoke or encourage* the King of *Prussia* to a Rupture. Thus did these faithful Subjects, on one Hand, endeavour to raise an Enemy against his Majesty. and on the other, to deprive him of all Hopes of Assistance. The Event indeed did not answer their wicked Expectations, for the Storm which then threatned his Majesty's Dominions was so happily dissipated, that it only gave him an Opportunity of shewing his own personal Resolution, and of receiving the most glorious Proofs of the Zeal and Fidelity of his Allies.

For my own Part I must confess I cannot see how it can be the Duty of an *Englishman* to encourage foreign Powers to invade the King's *German* Dominions, and to excite the neighbouring Princes to oppress a People merely because they acknowledge the same Sovereign that we do. That Country, Barren and Despicable as it has been represented, has surely the common Claim of all Protestant Nations to our Favour and good Wishes, if not to our Protection; the last as well as the present Parliament have declared themselves to be in this Way of Thinking, and we need not surely repine at their Quiet, nor are we under any Temptation to disturb it. I hope therefore that the malicious Desire which these false Patriots have shewn to distress the King's Affairs *there*, will have no other Effect than to open the Eyes of those who have

have been deceived by their specious Pretences of Loyalty and Affection for his Majesty; and it may reasonably be expected that the complaisant Person, who once condescended to make a private Submission in the last Reign for some free Expressions that fell from him in Publick, upon a Subject not very unlike that which I have been now treating of, will think this a proper Occasion for shewing once more his great Address in making Recantations.

After all, if this Gentleman and his Associates should find themselves precluded by an Accommodation of all our Differences Abroad from their late Favourite Topicks, I shall not be surprized to see them fall again into their usual Declamation upon *weak* and *corrupt* Ministers; though such a Charge upon those who have the Honour to be employ'd by his Majesty, may seem a little unseasonable at a Time when we are reaping the Fruits of their Abilities and Integrity.

And, besides that an Imputation of this Kind is in itself very unjust; were there any Foundation for it, it would come with a very ill Grace from those who are so fond of fixing it upon them. If I had either Leisure or Inclination to examine into the Behaviour of the only one of this Cabal, who was ever in a Station, that could give him the least Appearance of being at the Head of Affairs, I believe I could produce as strong Instances not only of Want of Capacity, but of every Virtue which can qualify a Man for a publick Employment, as the weakest and most wicked Administration was ever accused of. And I am very sorry to say, that his Conduct since the Time of his withdrawing from the just Punishment, which his injur'd Country was preparing for him, has not given the least Reason to think that either his Judgment or his Morals are at all improv'd, by the Misfortunes in which his Folly and the most profligate Disregard of all that is held sacred amongst other Men, had involv'd him.



THE
TREATY
OF
PEACE, UNION, &c.

THE
TREATY
OF
Peace, Union, Friendship,
AND
Mutual Defence,

Between the CROWNS of

*Great-Britain, France,
and Spain,*

Concluded at *Seville* on the 9th of
November. N. S. 1729.

D U B L I N :

Printed by S. POWELL,

For GEORGE RISK, at the *Shakeſpear's Head*,
GEORGE EWING, at the *Angel and Bible*, And,
WILLIAM SMITH, at the *Hercules*, Bookſellers
in *Dame's-ſtreet*, M D C C X X X.



The Treaty of Peace, Union,
Friendship, and Mutual Defence,
between the Crowns of *Great
Britain, France, and Spain*, con-
cluded at *Seville* on the 9th of
November, N. S. 1729.

*Au Nom de la Très Sainte
Trinité, Pere, Fils, et
Saint Esprit, trois Per-
sonnes distinctes, et un
seul vrai Dieu.*

In the Name of the most
Holy Trinity, Father,
Son, and Holy Ghost,
three distinct Persons,
and one only true God.

LEURS Serenissimes
Majestés le Roy de la
Grande Bretagne, le Roy
trés Chrét en, et le Roy Ca-
tholique, desirans, avec un
égal Empressement, non
seulement de renouveler et
de serrer plus etroitement
leur ancienne amitié, mais
aussi d'éloigner tout ce qui
pourroit la troubler pour
l'avenir, afin, qu'étant u-
nies des Sentiments et d'In-
clination, Elles puissent a-
gir désormais en tout com-
me n'ayant qu'un même
Object et un même Inte-
rêt; et pour cet effet, le
Serenissime Roy de la
Grande Bretagne ayant don-
né Plein-pouvoir de traiter
en son nom au Sieur Guil-
laume Stanhope, Vice-Cham-
bellan

THEIR most Serene Ma-
jesties the King of Great
*Britain, the most Christian
King, and the Catholick
King, desiring, with equal
Earnestness, not only to re-
new and bind more closely
their antient Friendship, but
likewise to remove whatever
might hereafter dislurb it, to
the End that being united in
Sentiments and Inclination,
they may for the future act
in every thing as having but
one and the same View and
Interest; and for this purpose,
the most Serene King of Great
Britain having given full
Power for treating in his
Name to M. William Stan-
hope, Vice-Chamberlain of
his Britannick Majesty's
Household, one of his Privy-
Coun-*

bellan de la Maison de sa
 Majesté *Britannique*, Con-
 seiller dans ses Conseils
 d'État et privé, Membre
 du Parlement de la Grande
Bretagne, Colonel d'un Re-
 giment de Dragons, et Am-
 bassadeur Extraordinaire de
 sa dite Majesté auprès de sa
 Majesté Catholique; com-
 me aussi au Sieur *Benjamin*
Keene, Ministre Plenipo-
 tentaire de sa dite Majesté
Britannique auprès de sa
 Majesté Catholique: Le
 Serenissime Roy très Chrè-
 tien ayant donné Plein-pou-
 voir de traiter en son Nom
 au Sieur Marquis de *Bran-*
cas, Lieutenant General de
 ses Armées; Chevalier de
 ses Ordres et de celui de la
Toison d'Or, son Lieutenant
 General au Gouvernement
 de *Provence*, et son Ambassa-
 deur Extraordinaire auprès
 de sa Majesté Catholique.
 Et le Serenissime Roy Ca-
 tholique ayant pareillement
 donné Plein-pouvoir de
 traiter en son Nom au
 Sieur *Jean Baptiste d'Oren-*
dayn Marquis de la Paz,
 son Conseiller d'Etat et
 premier Secrétaire d'Etat
 et des Depeches; et au
 Sieur *Joseph Patino*, Com-
 mandeur de *Alcuesca* dans
 l'Ordre de Saint Jacques,
 Gouverneur du Conseil des
 Finances,

Council, Member of the Par-
liament of Great-Britain,
Colonel of a Regiment of
Dragoons, and his said Ma-
jesty's Ambassador Extraor-
dinary to his Catholick Maje-
sty; as also to M. Benjamin
Keene, his said Britannick
Majesty's Minister Plenipo-
tentiary to his Catholick Ma-
jesty: The most Serene most
Christian King having given
full Power for treating in
his Name to the Marquis de
Branças, Lieutenant-Gener-
al of his Armies, Knight of his
Orders, and of that of the
Golden-Fleece, his Lieute-
nant-General in the Govern-
ment of Provence, and his
Ambassador Extraordina-
ry to his Catholick Majesty:
And the most Serene Catholick
King having likewise given
full Power for treating in his
Name to M. John Baptist D'
Orendayn Marquis de la
Paz, his Counsellour of State
and first Secretary of State
and of the Dispatches; and
to M. Joseph Patino, Com-
mander of Alcuesca in the
Order of St. James, Govern-
nour of the Council of the
Treasury; and of the Tribu-
nals depending thereon, Su-
perintendant-General of the
general Revenues, and his Se-
cretary of State and of the
Dispatches for Affairs of the
Marine;

Finances, et des Tribunaux *Marine, the Indies, and the Treasury: The above-mentioned Ministers have agreed between them on the following Articles.*

en dependants, Super-Intendant General des Rentes Generales, et son Secretaire d'Etat et des depêches dans les Affaires de *Marine*, des *Indies*, et des *Finances*. Les Ministres sus mentionnés sont convenus entr'eux des Articles suivants.

I.

Il y aura dès à present et pour toujours une Paix solide, une Union étroite, et une Amitié sincere et constante entre le Serenissime Roy de la *Grande Bretagne*, le Serenissime Roy très Chrétien, et le Serenissime Roy d'*Espagne*, leurs Heritiers et Successeurs, comme aussi entre leurs Royaumes et Sujets, pour l'Assistance et la Defence reciproque de leurs États et Interêts; Il y aura pareillement oubli de tout le passé; et tous les Traitez et Conventions precedents de Paix, d'Amitié, et de Commerce, conclus entre les Puissances Contractantes respectivement, seront, comme ils le sont effectivement, renouvelés, et confirmés, dans tous leurs points auxquels il n'est pas derogé par le present Traité, d'une maniere aussi pleine et aussi ample, com-

me

I.

There shall be from this Time and for ever a solid Peace, a strict Union, and a sincere and constant Friendship between the most Serene King of Great Britain, the most Serene most Christian King, and the most Serene King of Spain, their Heirs and Successors, as also between their Kingdoms and Subjects, for the mutual Assistance and Defence of their Dominions and interests; there shall likewise be an Oblivion of all that is past; and all the former Treaties and Conventions of Peace, of Friendship, and of Commerce, concluded between the contracting Powers respectively, shall be, as they hereby are, effectually renewed and confirmed, in all those Points which are not derogated from by the present Treaty, in as full and ample a Manner, as if the said Treaties were here inserted

Word

me si les dits Traités étoient *Word for Word. Their said*
 inérés ici de mot à mot. *Majesties promising not to do*
 Leurs dites Majestés pro- *any Thing, nor suffer any*
 mettant de ne rien faire, ni *Thing to be done, that may*
 souffrir qu'il soit rien fait, *be contrary thereto directly or*
 qui puisse y être contraire *indirectly.*
 directement ou indirecte-
 ment.

II.

En conséquens desquels
 Traités, et afin d'établir
 solidement cette Union et
 Correspondance, leurs Ma-
 jestés Britannique, trèsChrê-
 tienne, et Catholique, pro-
 mettent et s'engagent, par
 le present Traité d'Alliance
 Defensive, de se garantir
 reciproquement leurs Roy-
 aumes, États et Terres de
 leur Obeissance, en quel-
 ques parties du monde qu'ils
 soient situés, comme aussi
 les Droits et Privileges de
 leur Commerce, le tout sui-
 vant les Traités; en sorte
 que les dites Puissances, ou
 l'une d'entre elles, étant at-
 taquées ou molestées par
 quelque Puissance et sous
 quelque pretexte que ce
 soit, Elles promettent et
 s'obligent reciproquement
 d'employer leurs Offices,
 aussitôt qu'Elles en seront
 requises, pour obtenir Sa-
 tisfaction à la Partie Lezée,
 et pour empêcher la conti-
 nuation des Hostilités; Et
 s'il arrive que les dits Offi-
 ces

II.

In Consequence of which
Treaties, and in order to e-
stablish firmly this Union and
Correspondence, their Britan-
nick, most Christian, and
Catholick Majesties, promise
and engage by the present de-
fensive Treaty of Alliance,
to guarantee reciprocally their
Kingdoms, States and Domini-
ous under their Obedience, in
what Parts of the World so-
ever situate, as also the
Rights and Privileges of their
Commerce, the whole accord-
ing to the Treaties; so that
the said Powers, or any one
of them, being attacked or
molested by any Power and
under any pretext whatever,
They promise and oblige
themselves reciprocally to em-
ploy their Offices, as soon as
they shall be thereto required,
for obtaining Satisfaction to
the Party injured, and for
hindring the Continuance of
Hostilities; and if it happen
that the said Offices be not
sufficient for procuring Satis-
faction without Delay, their
said

ces ne soient pas suffisants pour procurer, sans delai, Satisfaction, leurs dites Majestés promettent de fournir les Secours suivans, conjointement, ou separément, c'est à dire, Sa Majesté *Britannique* Huit mille Hommes d'Infanterie, et quatre mille de Cavallerie; sa Majesté très Chrétienne Huit mille Hommes d'Infanterie, et quatre mille de Cavallerie; et sa Majesté Catholique Huit mille Hommes d'Infanterie, et quatre mille de Cavallerie. Si la Partie attaquée, au lieu de Troupes, demandoit des Vaisseaux de Guerre ou de Transport ou même des Subsidies en Argent, il lui fera libre de choisir, et les autres Parties fourniront les dits Vaisseaux ou Argent à proportion de la depense des Troupes; Et pour ôter tout doute touchant l'Evaluation des Secours, leurs Majestés susdites conviennent que mille Hommes d'Infanterie seront comptés sur le Pied de dix mille Florins de *Hollande*, et mille Cheveaux sur le pied de trente mille Florins de *Hollande*, par mois; et on observera la même proportion à l'Egard des Vaisseaux qui doivent estre fournis;

leurs

said Majesties promise to furnish the following Succours, jointly, or separately, that is to say, his Britannick Majesty Eight Thousand Foot and Four Thousand Horse; his most Christian Majesty Eight Thousand Foot and Four Thousand Horse; and his Catholick Majesty Eight Thousand Foot and Four Thousand Horse: If the Party attacked, instead of Troops, should demand Ships of War or Transports, or even subsidies in Money, he shall be free to chuse, and the other Parties shall furnish the said Ships or Money, in proportion to the Expence of Troops; and for taking away all Doubt touching the Valuation of the Succours, their abovesaid Majesties agree, that a Thousand Foot shall be computed at Ten Thousand Florins Dutch Money, and a Thousand Horse at Thirty Thousand Florins Dutch Money, by the Month; and the same Proportion shall be observed with respect to the Ships that ought to be furnished; their said Majesties promising to continue and keep up the said Succours as long as the Trouble shall subsist; and in case it should be found necessary, their said Majesties shall mutually succour each

D

other

leurs dites Majestés promettant de continuer et garder les dits Secours pendant que le trouble subsistera ; Et en cas qu'il soit trouvé nécessaire, leurs dites Majestés s'entresecourront de toutes leurs Forces, et même déclareront la Guerre à l'Agresseur.

III.

Les Ministres de sa Majesté Britannique, et de sa Majesté très Chrétienne, ayant prétendu que dans les Traités conclus à Vienne entre l'Empereur et le Roy d'Espagne, l'année mille sept cent vingt et cinq, il y avoit plusieurs Clausés qui donnoient atteinte aux Articles des differents Traités de Commerce, ou Traités de Paix qui peuvent regarder le Commerce, antérieurs à l'année mille sept cent vingt cinq, sa Majesté Catholique a déclaré, comme elle déclare, par le present Article, qu'Elle n'a jamais entendu accorder, ni ne laissera subsister en Vertue des dits Traités de Vienne, aucun Privilege contraire aux Traités cy-dessus confirmés.

IV.

Ayant été convenu par les Articles Preliminaires, que le Commerce des Nations

other with all their Forces, and shall even declare War against the Aggressor.

III.

The Ministers of his Britannick Majesty and of his most Christian Majesty, having alledged that in the Treaties concluded at Vienna between the Emperor and the King of Spain, in the Year One thousand seven hundred twenty five, there were divers Clausés that infringed the Articles of the several Treaties of Commerce, or of the Treaties of Peace in which Commerce may be concerned, antecedent to the Year one thousand seven hundred twenty five, His Catholick Majesty has declared, as he declares by the present Article, that he never meant to grant, nor will suffer to subsist by Virtue of the said Treaties of Vienna, any Privilege contrary to the Treaties hereabove confirmed.

IV.

It having been agreed by the Preliminary Articles, that the Commerce of the English and

tions *Angloise et Francoise*, and French Nations, as well
 tant en *Eu ope*, qu' aux *Indes*, seroit retabli sur le pied in Europe as in the Indies,
 des Traités et Conventions should be re-established on the
 anterieurs à l' année mille Foot of the Treaties and Con-
 sept cent vingt cinq, et ventions antecedent to the Year
 nommement, que celui de One thousand seven hundred
 la Nation *Angloise* en A- twenty five, and particular-
 merique s'execeroit comme ly that the Commerce of the
 par le passé, l'on convient English Nation in America
 par le present Article, que should be exercised as hereto-
 tous Ordres necessaires se- fore; it is agreed by the present
 ront expediés, de part et Article, that all necessary Or-
 d'autre, sans aucun retarde- ders shall be dispatched on both
 ment, s'ils ne l'ont pas deja Sides, without any Delay, if
 été, soit pour l' Execution they have not been sent al-
 des dits Traités de Com- ready, as well for the Execu-
 merce, soit pour suppléer à tion of the said Treaties of
 ce qui pourroit manquer à Commerce, as for supplying
 l' entier retablissement du what may be wanting for the
 Commerce, sur le pied des entire Re-establishment of Com-
 dits Traités et Conyen- merce on the Foot of the said
 tions. Treaties and Conventions.

V.

Quoi qu'il ait été stipulé
 par les Preliminaires que
 toutes les Hostilités au-
 roient à cesser de part et
 d'autre, et que s'il arrivoit
 entre le Sujets des Par-
 ties Contractantes quelque
 Trouble ou Hostilités, soit
 en *Europe*, soit aux *Indes*, les
 Puissances Contractantes
 concourroient à la Repa-
 ration des Dommages souf-
 ferts par leurs Sujets res-
 pectifs; Et que nonobstant
 cela, on allegue que de la
 part des Sujets de sa Ma-
 jesté

V.

Although it was stipulated
 by the Preliminaries that all
 Hostilities should cease on both
 Sides, and that if any Trouble
 or Hostilities should happen be-
 tween the Subjects of the con-
 tracting Parties, either in Eu-
 rope, or in the Indies, the
 contracting Powers should
 concur for the Reparation of
 Damages sustained by their
 respective Subjects; and not-
 withstanding this it is alled-
 ged, that on the Part of the
 Subjects of his Catholick Ma-
 jesty Acts of Disturbance and
 D 2 Hostili-

jesté Catholique on a continué des actes de Trouble et d' Hostilités, Il est convenu par ce présent Article, que pour ce qui regarde l' Europe sa Majesté Catholique fera reparer au plutót les Dommages qui y ont été soufferts depuis le Tems prescrit par les Preliminaires pour la Cessation des Hostilités, et que pour ce qui regarde l' Amerique, Elle fera aussi reparer au plutót les Dommages qui y auront été soufferts depuis l'arrivée de ses Ordres à Car-

tagene le onze
vingt deuxieme

jour de Juin mille sept cent vingt et huit. Et sa dite Majesté Catholique publiera les defenses les plus rigoureuses pour prevenir de pareilles Violences de la Part de ses Sujets; Leurs Majestés Britannique et Très Chrétienne promettant de leur part, s'il y a des cas pareils, de faire reparer ce qui auroit été ainsi fait, et de donner de pareils Ordres pour la Conservation de la Paix, Tranquillité et bonne Intelligence.

VI.

Il sera nommé des Commissaires avec des Pouvoirs suffisants de la part de leurs Majestés Britannique et

Ca-

Hostilities have been continued; it is agreed by this present Article, that as to what relates to Europe, his Catholick Majesty shall forthwith cause Reparation to be made for the Damages which have been suffered there since the Time prescribed by the Preliminaries for the Cessation of Hostilities; and as to what relates to America, he will likewise forthwith cause Reparation to be made for the Damages which shall have been suffered there since the Arrival of his Orders at Carta-

Eleventh
gena on the Twenty Second

Day of June One thousand seven hundred twenty eight. And his said Catholick Majesty shall publish the most rigorous Prohibitions for preventing the like Violences on the Part of his Subjects; their Britannick and most Christian Majesties promising on their Part, if there be like Cases, to cause Reparation to be made for what shall have been so done, and to give like Orders for the Preservation of the Peace, Tranquillity and good Intelligence.

VI.

Commissioners shall be nominated, with sufficient Powers, on the Part of their Britannick and Catholick Ma-

Catholique, lesquels s'assembleront à la Cour d'Espagne dans l'espace de quatre mois après l'échange des Ratifications du présent Traité, ou plutôt si faire se pourra, pour examiner et décider touchant les Vaisseaux et Effets pris en Mer de part et d'autre jusqu'aux Termes marqués dans l'Article précédent. Les dits Commissaires examineront pareillement, et décideront, selon les Traités, les Pretensions respectives qui regardent les Abus que l'on suppose avoir été commis dans le Commerce, tant aux Indes qu'en Europe, et toutes les autres Pretensions respectives en Amérique, fondées sur des Traités, soit par rapport aux Limites ou autrement. Les dits Commissaires pareillement discuteront et décideront les Pretensions que sa Majesté Catholique peut avoir en Vertue du Traité de mille sept cent vingt et un, pour la Restitution des Vaisseaux pris par la Flotte Angloise dans l'année mille sept cent dix huit. Et les dits Commissaires après avoir examiné, discuté, et décidé les susdits Points et Pretensions, feront un rapport de leurs Procédures à leurs Ma-

jestés

Majesties, who shall assemble at the Court of Spain within the Space of four Months after the Exchange of the Ratifications of the present Treaty, or sooner if it can be done, to examine and decide what concerns the Ships and Effects taken at Sea on either Side to the Times specified in the preceding Article. The said Commissaries shall likewise examine, and decide, according to the Treaties, the respective Pretensions which relate to the Abuses that are supposed to have been committed in Commerce, as well in the Indies as in Europe, and all the other respective Pretensions in America, founded on Treaties, whether with respect to the Limits or otherwise. The said Commissaries shall likewise discuss and decide the Pretensions which his Catholick Majesty may have, by Virtue of the Treaty of One thousand seven hundred twenty one, for the Restitution of the Ships taken by the English Fleet in the Year One thousand seven hundred eighteen. And the said Commissaries after having examined discussed and decided the abovesaid Points and Pretensions, shall make a Report of their Proceedings to their Britannick and Catholick Ma-

jesties,

jestés Britannique et Catholique, lesquelles promettent que dans l'Espace de six mois après le dit rapport fait, elles feront executer ponctuellement et exactement ce qui aura été ainsi décidé par les dits Commissaires.

VII.

Il sera aussi pareillement nommé, de la part de sa Majesté très Chrétienne et de sa Majesté Catholique, des Commissaires qui examineront tous le Griefs généralement quelconques que les dites Parties intéressées auroient à former respectivement, soit pour la Restitution des Batimens saisis ou enlevés, soit par rapport au Commerce, Limites, ou autrement.

VIII.

Les dits Commissaires termineront exactement leur Commission dans l'Espace de trois ans, ou plutôt si faire se peut, à compter du jour de la Signature du présent Traité, et cela sans autre délai ulterieur, sous quelque motif ou prétexte que ce soit.

IX.

On effectuera dès à présent l'Introduction des Garçons dans les Places de Livourne, Porto-ferraio, Parme

VII.

Commissaries shall likewise be nominated on the Part of his most Christian Majesty, and of his Catholick Majesty, who shall examine all Grievances generally whatsoever which the said Parties therein interested may form respectively, whether for the Restitution of Vessels seized or taken, or with respect to Commerce, Limits, or otherwise.

VIII.

The said Commissaries shall finish punctually their Commission within the Space of three Years, or sooner if it can be done, to be computed from the Day of the signing of the present Treaty, and this without any further Delay, on any Motive or Pretext whatever.

IX.

The introducing of Garçons into the Places of Leghorn, Porto-ferraio, Parma, and Placentia, to the
Number

me et Plaisance, au Nombre de six mille Hommes de Troupes de sa Majesté Catholique et à sa soldé, lesquels serviront pour la plus grande Assurance et Conservation de la Succession immediate des dits États en Faveur du Serenissime Infant Don Carlos, et pour être en État de résister à tout Enterprise et Opposition qui pourroit être suscitée au prejudice de ce qui a été réglé sur la dite Succession.

X.

Les Puissances Contractantes feront dès à present toutes les Diligences qu'elles croiront convenables à la Dignité et au Repos des Serenissimes Grand Duc de Toscane et Duc de Parme, afin que les Garnisons soient reçues avec la plus grande Tranquillité et sans Opposition dès qu'elles se présenteront à la veüe des Places où elles devront être introduites.

Les dites Garnisons feront aux presents Possesseurs le Serment de défendre leurs Personnes, Souveraineté, Biens et États et Sujets, en tout ce qui ne fera point contraire au Droit de Succession réservé au Serenissime Infant Don Carlos,

et

Number of Six thousand Men of his Catholick Majesty's Troops and in his Pay, shall be effectuated without Loss of Time; which Troops shall serve for the better securing and preserving of the immediate Succession of the said States in Favour of the most Serene Infant Don Carlos, and to be ready to withstand any Enterprize and Opposition which might be formed to the Prejudice of what has been regulated touching the said Succession.

X.

The contracting Powers shall forthwith use all the Applications which they shall judge to be consistent with the Dignity and Quiet of the most Serene Great Duke of Tuscany, and the Duke of Parma, to the End the Garrisons may be received with the greatest Tranquillity and without Opposition, as soon as they shall present themselves before the Places into which they are to be introduced.

The said Garrisons shall take an Oath to the present Possessors to defend their Persons, Sovereignty, Possessions and States, and Subjects, in every thing that shall not be contrary to the Right of Succession reserved to the most Serene Infante Don Carlos, and

she

et les presents Possesseurs ne pourront rien demander ou exiger qui y soit contraire.

the present Possessors shall not demand or exact any thing that is contrary thereto.

Les dites Garnisons ne se mêleront directement ni indirectement, sous aucun Pretexte que ce puisse être, des Affaires du Gouvernement Politique, Oeconomique ni Civil; et auront Ordre très exprès de rendre aux Serenissimes Grand Duc de Toscane et Duc de Parme, tous les respects et honneurs militaires, qui sont dus à des Souverains dans leurs États.

The said Garrisons shall not meddle directly or indirectly, under any Pretext whatsoever, in Affairs of the political, oeconomical or civil Government; and shall have most express Orders to render to the most Serene Great Duke of Tuscany and the Duke of Parma, all the respects and military Honours that are due to Sovereigns in their own Dominions.

XI.

XI.

L'Objêt de l'Introduction des dits six mille Hommes de Troupes de sa Majesté Catholique et à sa Solde, étant d'assurer au Serenissime Infant Don Carlos la Succession immediate des États de Toscane, Parme et Plaisance, sa Majesté Catholique promet, tant pour elle, que pour ses Successeurs, qu'assitôt que le Serenissime Infant Don Carlos son Fils, ou tel autre qui sera à ses Droits, sera Possesseur tranquille des dits États et en Seureté contre toute Invasion et autres justes motifs de crainte, elle fera retirer des Places de ces États les Troupes qui seront siennes et non pas propres à l'Infant

The Intent of introducing the said Six thousand Men of his Catholick Majesty's Troops and in his Pay, being to secure to the most Serene Infante Don Carlos the immediate Succession of the States of Tuscany, Parma, and Placentia, his Catholick Majesty promises, as well for himself as his Successors, that as soon as the most Serene Infante Don Carlos his Son, or such other who shall succeed to his Rights, shall be the quiet Possessor of those States, and in Safety from all Invasion and other just Grounds of Fear, he will cause to be withdrawn from the Places in those States the Troops which shall be his own, and not belonging to the Infante

fant Don Carlos, ou à celui qui sera à ses Droits, en sorte que par là, la dite Succession et Possession reste assurée et exempte de tous Evenemens.

XII.

Les Puissances Contractantes s'engagent d'établir, selon les Droits de Succession qui ont été stipulés, et de maintenir le Serenissime Infant Don Carlos, ou celui à qui passeront les Droits, dans la Possession et Jouissance des États de Toscane, Parme et Plaisance, lors qu'il y sera une fois établi; de le défendre de toute Insulte contre quelque Puissance que ce soit qui penseroit à l'inquiéter; se déclarant par ce Traité Garantes à Perpetuité du Droit, Possession, Tranquillité, et Repos du Serenissime Infant, et de ses Successeurs aux dits États.

XIII.

A l'égard des autres Détails ou Reglements concernant la Manutention des dites Garnisons une fois établies dans les États de Toscane, Parme, et Plaisance, comme il est à presumer que sa Majesté Catholique et les Serenissimes Grand Duc et Duc de Parme, en conviendront par un accord

XII.

The contracting Powers engage to establish, according to the Rights of Succession which have been stipulated, and to maintain the most Serene Infante Don Carlos, or him to whom his Rights shall devolve, in the Possession and Enjoyment of the States of Tuscany, Parma, and Placentia, when he shall once be settled there; to defend him from all Insult, against any Power whatsoever, that might intend to disturb him; declaring themselves by this Treaty, Guarantees for ever of the Right, Possession, Tranquillity, and Quiet of the most Serene Infante, and of his Successors to the said States.

XIII.

As to other Particulars or Regulations concerning the keeping up of the said Garrisons once established in the States of Tuscany, Parma, and Placentia, as it is to be presumed that his Catholick Majesty and the most Serene Great Duke and Duke of Parma will settle the same by an Agreement between themselves,

cord particulier, leurs Majestés Britannique et très Chrétienne promettent, que dès que cet accord sera fait, elles le ratifieront et garantiront, tant envers sa Majesté Catholique, qu'envers les Serenissimes Grand Duc et Duc de Parme, comme s'il étoit inferé de mot à mot dans le present Traité.

XIV.

Les États Generaux des Provinces Unies seront invités d'entrer dans le present Traité et Articles. Seront pareillement invitées ou admises de Concert dans ces mêmes Traité et Articles telles autres Puissances dont on conviendra.

Les Ratifications du present Traité seront expédiées dans l'espace de six semaines, ou plutôt, si faire se peut, à compter du jour de la Signature.

En Foy de quoi, nous soussignés Ministres Plenipotentiaires de sa Majesté Britannique, de sa Majesté très Chrétienne, et de sa Majesté Catholique, en vertu de nos Plein-pouvoirs, qui ont été communiqués de part et d'autre, et qui seront cy-dessous transcrits, avons signé le present Traité, et y avons fait apposer le Cachet

selves, their Britannick and most Christian Majesties promise, that as soon as that Agreement shall be made, they will ratify and guarantee it, as well to his Catholick Majesty, as to the most Serene Great Duke and Duke of Parma, as if it were inserted Word for Word in the present Treaty.

XIV.

The States General of the United Provinces shall be invited to come into the present Treaty and Articles. Such other Powers as shall be agreed on; shall likewise be invited and admitted by Concert into the same Treaty and Articles.

The Ratifications of the present Treaty shall be dispatched within the Space of Six Weeks, or sooner, if it can be done, to be reckoned from the Day of signing it.

In Witness whereof, We the under-written Ministers Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, by Virtue of our Full Powers, which have been communicated to each other, Transcripts of which shall be hereto annexed, have signed the present Treaty, and caused the Seals of our Arms to be affixed thereto.

Chet de nos Armes. Fait à *thereto*. Done at Seville, the Seville, le neuvieme Jour de *Ninth Day of November*, Novembre, mille sept cent *One Thousand seven hundred* vingt et neuf. *twenty nine*.

W. STANHOPE.

(L. S.)

B. KEENE.

(L. S.)

BRANCAS.

(L. S.)

El Marqs. de la PAZ.

(L. S.)

D. JOSEPH PATINO.

(L. S.)

*Articles Separés,**Separate Articles.*

I.

B IEN que conformément aux Articles Preliminaires il ait été dit par l'Article quatre du Traité signé ce jourd'huy que le Commerce de la Nation Angloise en *Amerique* seroit retabli sur le pied des Traités et Conventions antérieurs à l'année mille sept cent vingt cinq; Cependant pour plus de netteté il est déclaré encore par le present Article entre leurs Majestés *Britannique* et Catholique, lequel aura la même force et sera sous la même Garantie que le Traité signé ce jourd'huy, que sous cette denomination generale sont compris, les Traités de Paix et de Commerce conclus à *Utrecht* les treize Juillet et neuf *Decembre* de l'année mille sept cent et treize, dans lesquels sont compris le Traité de mille

I.

A lthough, conformably to the Preliminary Articles, it is said in the fourth Article of the Treaty signed this Day, that the Commerce of the English Nation in *America* should be re-established on the Foot of the Treaties and Conventions antecedent to the Year One thousand seven hundred twenty five; however, for the greater Exactness, it is further declared by the present Article between their *Britannick* and *Catholic* Majesties, which shall have the same Force, and be under the same Guaranty as the Treaty signed this Day, that under that general Denomination are comprehended, the Treaties of Peace and of Commerce concluded at *Utrecht* the thirteenth of July and ninth of December in the Year One thousand seven hundred thirteen, in which

six cent soixante et sept, fait à Madrid, et les Cédul-
 les y mentionnées; le Trai-
 tē postérieur fait à Madrid
 le quatorze Decembre mille
 sept cent quinze; comme
 aussi le Contract particulier,
 nommé communement de
 l'*Affiento*, pour l'Introduiti-
 on des Esclaves Negres aux
Indes Espagnoles, qui fut fait
 le vingt six Mars de la dite
 Année mille sept cent
 treize, en consequence de
 l'Article douze du Traité
 d'*Utrecht*; et pareillement le
 Traité de Declaration touch-
 ant celui de l'*Affiento*, fait le
 vingt et six May mille sept
 cent seize: Tous lesquels
 Traités mentionnés en cet
 Article, avec leurs Declarati-
 ons, seront des Aujourd'huy
 (même pendant l'examen
 des Commissaires) et de-
 meureront dans leur force,
 vertu et pleine vigueur;
 pour l'Observation desquels
 sa Majesté Catholique fera
 expedier au plutot, s'ils ne
 l'ont été, les Ordres et Ce-
 dulas nécessaires, à ses Vice-
 Roys, Gouverneurs, et au-
 tres Ministres à qui il aparti-
 endra, tant en Europe qu'aux
Indes, afinque sans aucun
 delai ou interpretation ils
 les fassent observer et ac-
 complir.

*are comprised the Treaty of
 One thousand six hundred
 sixty seven, made at Madrid,
 and the Cédulas therein men-
 tioned; the later Treaty made
 at Madrid the fourteenth of
 December, One thousand
 seven hundred fifteen; as al-
 so the particular Contract;
 commonly called the Affiento,
 for bringing Negro Slaves in-
 to the Spanish Indies, which
 was made the Twenty sixth
 Day of March, in the said
 Year One thousand seven hun-
 dred thirteen, in Consequence
 of the Twelfth Article of the
 Treaty of Utrecht; and like-
 wise the Treaty of Declarati-
 on, touching that of the Affi-
 ento, made the Twenty sixth
 of May, One thousand seven
 hundred sixteen: All which
 Treaties mentioned in this Ar-
 ticle, with their Declarati-
 ons, shall from this Day
 (even during the Examinati-
 on by the Commissaries) be
 and remain in their Force;
 Virue and full Vigour; for
 the Observation of which his
 Catholick Majesty shall cause
 to be dispatch'd forthwith, if
 they have not been dispatch'd,
 the necessary Orders and Ce-
 dulas to his Vice-Roys, Gover-
 nors, and other Ministers to
 whom it shall appertain, as
 well in Europe as in the In-
 dies, to the End that with-*

out any Delay or Interpretation, they may cause them to be observed and fulfilled.

Pareillement sa Majesté Britannique promet et s'engage de publier les Ordres nécessaires, s'il en manquoit, pour remettre le Commerce des Sujets de l'Espagne en tous les Pays de sa Domination, sur le pied porté par les dits Traités, et pour les faire exactement observer et accomplir.

In like Manner his Britannick Majesty promises and engages to publish the necessary Orders, if any be wanting, for re-establishing the Commerce of the Subjects of Spain in all the Countries under his Dominion, on the Foot specified by the said Treaties, and for causing them to be exactly observed and fulfilled.

II.

II.

En consequence, tous Vaisseaux, Marchandises et Effets qui n'auroient pas été pris ou saisis pour cause de Commerce illicite, et qui seroient prouvés dès à present par des preuves et Documents authentiques, avoir été detenus, saisis ou confisqués dans les Ports d'Espagne, soit en Europe soit aux Indes, et nommément, le Vaisseau le *Prince Frederic* et sa Cargaïson, s'ils ne l'ont déjà été, seront restitués immédiatement, dans la même espece pour ceux qui se trouveront encore en Nature; ou à ce défaut, la juste et vraie valeur selon l'Estimation, qui si Elle n'en a pas été faite dans le tems, sera réglée sur les Informations authentiques que les Propriétaires auront

Consequently, all Ships, Merchandize and Effects, which shall not have been taken or seized on Account of unlawful Commerce, and which shall now be proved by authentick Proofs and Documents, to have been detained, seized or confiscated in the Ports of Spain, either in Europe or in the Indies, and namely the Ship *Prince Frederick* and her Cargo, if they have not been restored already, shall be immediately restored, in the same Kind as to those Things which shall be found still remaining in that Condition; or in default thereof, the just and true Value of them, according to their Valuation, which, if it was not made at the Time, shall be regulated by the Authentick Informations which the

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à fournir aux Magistrats des Lieux et Villes où auront été faites les Saïssies : Sa Majesté Britannique promettant de sa part, le Reciproque pour toutes Saïssies, Confiscations ou Detentions qui pourroient avoir été faites contre la Teneur des dits Traités : Convenant leurs dites Majestés Britannique et Catholique, qu' à l' Egard de pareilles Saïssies, Confiscations ou Detentions de part et d'autre, dont la validité ne seroit pas encore suffisamment éclaircie, la discussion et la decision en seroient remises à l' examen des Commissaires, pour y faire Droit sur le pied des Traités cy-dessus mentionnés.

Les presents Articles separés auront la même force que s'ils estoient inferés de mot à mot dans le Traité conclu et signé aujourd' huy. Ils seront ratifiés de la même maniere, et les Ratifications en seront échangées dans le même tems que celles du dit Traité.

En foy de quoi nous Sou-signés Ministres Plenipotentiaires de sa Majesté Britannique, de sa Majesté très Chrétienne, et de sa Majesté Catholique, en vertu de nos Plein-pouvoirs avons signé les presents Articles

Proprietors shall exhibit to the Magistrates of the Places and Towns where the Seizures were made : His Britannick Majesty promising the like on his Part, as to all Seizures, Confiscations, or Detentions which may have been made contrary to the Tenour of the said Treaties : Their said Brittannick and Catholick Majesties agreeing, that with Respect to the like Seizures, Confiscations or Detentions on either Side, the Validity of which may not yet have been sufficiently made out, the Discussion and Decision of them shall be referred to the Examination of the Commissaries, to do therein according to Rights upon the Foot of the Treaties here above-mentioned.

The present separate Articles shall have the same Force as if they were inserted Word for Word in the Treaty concluded, and signed this Day. They shall be ratified in the same Manner, and the Ratifications of them shall be exchanged at the same Time as those of the said Treaty.

In Witness whereof we the underwritten Ministers Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, by Virtue of our full Powers, have signed the

pro-

cles séparés et y avons fait *present separate Articles, and*
 apposer le Cachet de nos *caused the Seals of our Arms*
 Armes. Fait à Seville le neu- *to be put thereto. Done at*
 vieme Jour de Novembre Seville *the ninth Day of No-*
 mille sept cent vingt et vember, *One thousand se-*
 neuf. *ven hundred twenty nine.*

W. STANHOPE.
 (L. S.)

B. KEENE.
 (L. S.)

BRANCAS.
 (L. S.)

El Marqs. de laPaz:
 (L. S.)

D. JOSEPH PATINO;
 (L. S.)

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